

Brown (FL)	Gilman	McCarthy (MO)	Schaefer, Dan	Spence	Upton
Brown (OH)	Goode	McCarthy (NY)	Schaffer, Bob	Spratt	Velazquez
Bryant	Goodlatte	McCollum	Scott	Stabenow	Vento
Burr	Goodling	McCrery	Sensenbrenner	Stark	Visclosky
Burton	Gordon	McDade	Serrano	Stearns	Walsh
Buyer	Goss	McDermott	Sessions	Stenholm	Wamp
Callahan	Graham	McGovern	Shadegg	Stokes	Waters
Calvert	Granger	McHale	Shaw	Strickland	Watkins
Camp	Green	McHugh	Shays	Stump	Watt (NC)
Campbell	Greenwood	McInnis	Sherman	Stupak	Watts (OK)
Canady	Gutierrez	McIntosh	Shimkus	Sununu	Waxman
Cannon	Gutknecht	McIntyre	Shuster	Talent	Weldon (FL)
Cardin	Hall (OH)	McKeon	Sisisky	Tanner	Weldon (PA)
Carson	Hall (TX)	McNulty	Skaggs	Tauscher	Weller
Castle	Hamilton	Meehan	Skeen	Tauzin	Wexler
Chabot	Hansen	Meek	Skelton	Taylor (MS)	Weygand
Chambliss	Harman	Menendez	Slaughter	Taylor (NC)	White
Chenoweth	Hastert	Metcalfe	Smith (MI)	Thomas	Whitfield
Christensen	Hastings (FL)	Mica	Smith (NJ)	Thompson	Wicker
Clay	Hastings (WA)	Millender-McDonald	Smith (OR)	Thornberry	Wise
Clayton	Hayworth	Miller (CA)	Smith (TX)	Thurman	Wolf
Clement	Hefley	Miller (FL)	Smith, Adam	Tiahrt	Woolsey
Clyburn	Hefner	Minge	Smith, Linda	Tierney	Wynn
Coble	Herger	Mink	Snowbarger	Torres	Young (AK)
Coburn	Hill	Moakley	Snyder	Towns	Young (FL)
Collins	Hilleary	Mollohan	Solomon	Trafficant	
Combest	Hilliard	Moran (KS)	Souder	Turner	
Condit	Hinchey	Moran (VA)			
Conyers	Hinojosa	Morella			
Cook	Hobson	Murtha			
Cooksey	Hoekstra	Myrick			
Costello	Holden	Nadler			
Cox	Hoolley	Neal			
Coyne	Horn	Nethercutt			
Cramer	Hostettler	Neumann			
Crane	Houghton	Ney			
Crapo	Hoyer	Northup			
Cummings	Hulshof	Hunter			
Cunningham	Hunter	Norwood			
Danner	Hutchinson	Nussle			
Davis (FL)	Hyde	Oberstar			
Davis (IL)	Inglis	Obey			
Davis (VA)	Istook	Olver			
Deal	Jackson (IL)	Ortiz			
DeFazio	Jackson-Lee	Owens			
DeGette	(TX)	Oxley			
Delahunt	Jefferson	Packard			
DeLauro	Jenkins	Pallone			
DeLay	John	Pappas			
Dellums	Johnson (CT)	Parker			
Deutsch	Johnson (WI)	Pascrell			
Diaz-Balart	Johnson, E. B.	Pastor			
Dickey	Johnson, Sam	Paxon			
Dicks	Jones	Payne			
Dixon	Kaptur	Pease			
Doggett	Kasich	Pelosi			
Dooley	Kelly	Peterson (MN)			
Doolittle	Kennedy (MA)	Peterson (PA)			
Doyle	Kennedy (RI)	Petri			
Dreier	Kennelly	Pickering			
Duncan	Kildee	Pitts			
Dunn	Kim	Pombo			
Edwards	Kind (WI)	Pomeroy			
Ehlers	King (NY)	Porter			
Ehrlich	Klecicka	Portman			
Emerson	Klink	Poshard			
Engel	Klug	Price (NC)			
English	Knollenberg	Pryce (OH)			
Ensign	Kolbe	Quinn			
Eshoo	Kucinich	Radanovich			
Etheridge	LaFalce	Rahall			
Evans	LaHood	Ramstad			
Everett	Lampson	Rangel			
Ewing	Lantos	Redmond			
Farr	Largent	Regula			
Fattah	Latham	Reyes			
Fawell	LaTourette	Riggs			
Fazio	Lazio	Rivers			
Filner	Leach	Rodriguez			
Foglietta	Levin	Roemer			
Foley	Lewis (CA)	Rogan			
Forbes	Lewis (GA)	Rogers			
Ford	Lewis (KY)	Rohrabacher			
Fossella	Linder	Ros-Lehtinen			
Fowler	Lipinski	Rothman			
Fox	Livingston	Roukema			
Frank (MA)	LoBiondo	Roybal-Allard			
Franks (NJ)	Lofgren	Royce			
Frelinghuysen	Lowey	Rush			
Frost	Lucas	Ryun			
Furse	Luther	Sabo			
Gallegly	Maloney (CT)	Salmon			
Ganske	Maloney (NY)	Sanchez			
Gedensson	Manton	Sanders			
Gekas	Manzullo	Sandlin			
Gephardt	Markey	Sanford			
Gibbons	Martinez	Sawyer			
Gilchrest	Mascara	Saxton			
Gillmor	Matsui	Scarborough			

NOES—5

Brown (CA)	Kanjorski	Pickett
Dingell	Paul	

NOT VOTING—12

Bunning	Kilpatrick	Schiff
Cubin	Kingston	Schumer
Flake	McKinney	Thune
Gonzalez	Riley	Yates

□ 1945

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. THUNE. Mr. Speaker, on rollcall No. 580, I was inadvertently detained. Had I been present, I would have voted "yes."

PROVIDING FOR CERTAIN MEASURES TO INCREASE MONITORING OF PRODUCTS OF PEOPLE'S REPUBLIC OF CHINA MADE WITH FORCED LABOR

Mr. CRANE. Mr. Speaker, pursuant to House Resolution 302, I call up the bill (H.R. 2195) to provide for certain measures to increase monitoring of products of the People's Republic of China that are made with forced labor, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HASTINGS). The bill is considered read for amendment.

The text of H.R. 2195 is as follows:

H.R. 2195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Laogai Slave Labor Products Act of 1997".

SEC. 2. FINDINGS.

The Congress makes the following findings:

- (1) The People's Republic of China operates and maintains an extensive forced labor camp system—the Laogai.
- (2) The Laogai is made up of more than 1,100 forced labor camps, with an estimated population of 6,000,000 to 8,000,000 prisoners.
- (3) In one part of the Laogai system, known as laojiao, or reeducation-through-

labor, Chinese citizens can be detained for up to 3 years without any judicial review or formal appearance in the judicial system.

(4) The Laogai is an integral sector of the export economy of the People's Republic of China and is engaged in the export to the United States of the goods made by forced labor.

(5) The Government of the People's Republic of China actively promotes the forced labor camps by employing a system of dual names for the camps to deceive the international community.

(6) The United States Customs Service has taken formal administrative action banning the importation of 27 different products found to have been made in the Laogai.

(7) Despite the fact that the People's Republic of China has entered into binding agreements with the United States (the 1992 Memorandum of Understanding on Prison Labor, and the 1994 Statement of Cooperation on the Implementation of the Memorandum of Understanding on Prison Labor) to allow inspections of its forced labor camps to determine the origins of suspected Laogai imports to the United States, the People's Republic of China has frustrated the implementation of these agreements.

(8) The State Department's Human Rights Country Reports in 1995 and 1996 each stated, "Repeated delays in arranging prison labor site visits called into question Chinese intentions regarding the implementation of" the two agreements referred to in paragraph (7).

(9) Concerning the ability of the United States Customs Service to identify Communist Chinese products that originate in the Laogai, Commissioner of Customs George J. Weise stated in testimony before the Senate Foreign Relations Committee on May 22, 1997: "We simply do not have the tools within our present arsenal at Customs to gain the timely and in-depth verification that we need."

SEC. 3. AUTHORIZATION FOR ADDITIONAL CUSTOMS AND STATE DEPARTMENT PERSONNEL TO MONITOR EXPORTATION OF SLAVE LABOR PRODUCTS BY THE PEOPLE'S REPUBLIC OF CHINA.

There are authorized to be appropriated for monitoring by the United States Customs Service and the Department of State of the exportation by the People's Republic of China to the United States of products made with slave labor, the importation of which violates section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code, \$2,000,000 for fiscal year 1998 and \$2,000,000 for fiscal year 1999.

SEC. 4. REPORTING REQUIREMENT ON EXPORTATION OF SLAVE LABOR PRODUCTS BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, the Commissioner of Customs and the Secretary of State shall each prepare and transmit to the Congress reports on the manufacturing and exportation of products made with slave labor in the People's Republic of China.

(b) CONTENTS OF REPORT.—Each report under subsection (a) shall include information concerning the following:

(1) The extent of the use of slave labor in manufacturing products for exportation by the People's Republic of China, as well as the volume of exports of such slave labor products by that country.

(2) The progress of the United States Government in identifying products made with slave labor in the People's Republic of China that are destined for the United States market in violation of section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code, and in stemming the importation of those products.

SEC. 5. RENEGOTIATION OF THE MEMORANDUM OF UNDERSTANDING ON PRISON LABOR WITH THE PEOPLE'S REPUBLIC OF CHINA.

It is the sense of the Congress that, since the People's Republic of China has substantially frustrated the purposes of the 1992 Memorandum of Understanding with the United States on Prison Labor, the President should immediately commence negotiations to replace the current Memorandum of Understanding on Prison Labor with one providing for effective monitoring of forced labor in the People's Republic of China, without restrictions on which prison labor camps international monitors may visit.

The SPEAKER pro tempore. Pursuant to House Resolution 302, the committee amendment in the nature of a substitute printed in the bill is adopted.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) The United States Customs Service has identified goods, wares, articles, and merchandise mined, produced, or manufactured under conditions of convict labor, forced labor, and indentured labor in several countries.

(2) The United States Customs Service has actively pursued attempts to import products made with forced labor, resulting in seizures, detention orders, fines, and criminal prosecutions.

(3) The United States Customs Service has taken 21 formal administrative actions in the form of detention orders against different products destined for the United States market, found to have been made with forced labor, including products from the People's Republic of China.

(4) The United States Customs Service does not currently have the tools to obtain the timely and in-depth verification necessary to identify and interdict products made with forced labor that are destined for the United States market.

SEC. 2. AUTHORIZATION FOR ADDITIONAL CUSTOMS PERSONNEL TO MONITOR THE IMPORTATION OF PRODUCTS MADE WITH FORCED LABOR.

There are authorized to be appropriated for monitoring by the United States Customs Service of the importation into the United States of products made with forced labor, the importation of which violates section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code, \$2,000,000 for fiscal year 1999.

SEC. 3. REPORTING REQUIREMENT ON FORCED LABOR PRODUCTS DESTINED FOR THE UNITED STATES MARKET.

(a) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Customs shall prepare and transmit to the Congress a report on products made with forced labor that are destined for the United States market.

(b) CONTENTS OF REPORT.—The report under subsection (a) shall include information concerning the following:

(1) The extent of the use of forced labor in manufacturing products destined for the United States market.

(2) The volume of products made with forced labor, destined for the United States market, that is in violation of section 307 of the Tariff Act of 1930 or section 1761 of the

title 18, United States Code, and is seized by the United States Customs Service.

(3) The progress of the United States Customs Service in identifying and interdicting products made with forced labor that are destined for the United States market.

SEC. 4. RENEGOTIATING MEMORANDA OF UNDERSTANDING ON FORCED LABOR.

It is the sense of the Congress that the President should determine whether any country with which the United States has a memorandum of understanding with respect to reciprocal trade which involves goods made with forced labor is frustrating implementation of the memorandum. Should an affirmative determination be made, the President should immediately commence negotiations to replace the current memorandum of understanding with one providing for effective procedures for the monitoring of forced labor, including improved procedures to request investigations of suspected prison labor facilities by international monitors.

SEC. 5. DEFINITION OF FORCED LABOR.

As used in this Act, the term "forced labor" means convict labor, forced labor, or indentured labor, as such terms are used in section 307 of the Tariff Act of 1930.

Amend the title so as to read: "A bill to provide for certain measures to increase monitoring of products that are made with forced labor."

The SPEAKER pro tempore. Pursuant to House Resolution 302, the gentleman from Illinois [Mr. CRANE] and the gentleman from California [Mr. MATSUI] each will control 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. CRANE].

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2195.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2195, a bill to authorize \$2 million of appropriations for fiscal year 1999 for the U.S. Customs Service to increase the monitoring and interdiction of products made with forced labor.

The funds authorized by H.R. 2195 will allow the Customs Service to enforce two important provisions in the law regarding forced labor products. The Tariff Act of 1930 prohibits the importation of goods, wares, articles, and merchandise which are produced, mined, or manufactured with the use of forced, convict, or indentured labor. Title 18 provides criminal penalties for those who willfully violate these prohibitions.

It has been long-standing U.S. policy to prohibit the importation of merchandise made under conditions of forced labor. To show that there is no doubt about our resolve to enforce this prohibition, H.R. 2195, as amended, would reemphasize U.S. policy by authorizing additional resources for the U.S. Customs Service to identify and interdict products made with forced labor by providing a new mechanism for monitoring compliance with the

law and by enhancing enforcement of international agreements.

Customs already has in place teams of special agents on our borders working actively to prohibit the importation of forced labor products. Customs also has 76 special agents and 26 embassies and consular offices abroad, including three attaches assigned to the U.S. embassy in Beijing. The investigations conducted by these teams have led to criminal proceedings, more than 20 detention orders, and 6 findings of prohibited forced labor importations relating to chain hoists, tea, electric fans, machine presses, zinc-coated wire, artificial flowers, and malleable iron pipe.

H.R. 2195 will authorize additional resources for Customs to conduct these investigations and is consistent with our country's historically strong position on this issue. This approach is consistent with historical U.S. trade policy objectives. And on that basis, I urge my colleagues to support the bill, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2195, as amended and reported by the Committee on Ways and Means by voice vote. I was a cosponsor of the amendment proposed by the gentleman from Texas [Mr. ARCHER] to authorize an additional appropriation of \$2 million in fiscal year 1999 for the Customs Service to monitor importation of products made with forced, indentured, or convict labor.

The bill, as amended, also requires Customs to report to Congress within 1 year on products made with forced labor destined for the U.S. market and on the efforts by Customs to prevent their importation. Importation of products made by convict, forced, or indentured labor in any country is prohibited under trade law in effect since 1980. The issue is not whether the United States permits importation of products made with forced labor. Customs has actively pursued and taken actions against attempted importation of products made with forced labor, including products from China. However, identification, verification, and interdiction of products made with forced labor is not an easy task.

H.R. 2195, as amended, addresses concerns that Customs has insufficient resources to enforce the import prohibition adequately. The bill treats this problem in a balanced, generic way by applying the additional resources through enforcement of existing laws against imports made by forced labor wherever they may originate rather than targeting one country as in the bill as introduced.

Finally, this bill, as amended, expresses the sense of the Congress that the President should determine whether any country with which we have a memorandum of understanding regarding trade involving goods made with

forced labor is frustrating the implementation of that memorandum of understanding. If that is the case, the President should negotiate a new MOU that provides effective monitoring procedures.

H.R. 2195, as amended, is very worthwhile, Mr. Speaker, and it addresses a very serious problem. I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of this important measure introduced by our colleague the gentleman from New Jersey [Mr. SMITH], as modified and reported out of the Committee on Ways and Means.

For the past half century, the import of convict made goods has been banned under our laws, yet products made in China's vast network of slave labor camps, the infamous Laogai, continue to flow into our country. This measure authorizes \$2 million in additional funds for Customs Service personnel to monitor the import of slave labor products from these camps and strengthen our monitoring procedures for international visits to these camps.

Laogai survivor, Harry Wu, has estimated that some 50 million Chinese men and women have passed through these camps, of whom some 15 million are thought to have perished. Today, between 6 to 8 million people are captive in 1,100 camps of the Laogai, forced to work under degrading and inhuman conditions.

Mr. Speaker, according to Mr. Wu, this slave labor system operates some 140 export enterprises selling to over 70 nations, including our own Nation. These camps produce a wide range of key commodities as well as a huge array of consumers goods, including toys, flowers, and yes, even Christmas lights.

Despite several binding agreements entered into with China in 1992 and 1994, international monitors have been denied access to these camps and their exports have been disguised using false names and invoices. In testimony before the Senate Foreign Relations Committee on May 22, 1997, Customs Commissioner George Weise stated that, "We simply do not have the tools within our present arsenal of Customs to gain the timely and in-depth verification that we need of these camps."

Accordingly, I urge my colleagues to support this measure and give the Customs Service the tools and resources it needs to police and monitor the imports of goods for this Chinese gulag and slave labor camps.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from

California [Mr. MATSUI] for yielding me the time.

Mr. Speaker, I rise in support of H.R. 2195, legislation to provide for the increased monitoring of products made with forced labor. The Committee on Ways and Means has made several improvements to the bill. This legislation provides certain measures to increase the ability of the U.S. Customs Service to identify, monitor, and interdict products made with forced labor that are headed for the United States market. It authorizes \$2 million of appropriations for fiscal year 1999 for Customs to monitor and interdict products made with forced labor.

This legislation also requires Customs to report within 1 year after the date of enactment on the extent of the use of forced labor in products destined for the U.S., the volume of products, and the progress made by Customs in identifying these products.

Also, this legislation includes a sense of Congress that the President should determine whether any country with whom the United States has a memorandum of understanding on forced labor is frustrating implementation of the memorandum of understanding. If the President determines that the memorandum of understanding is not being implemented, it is the sense of Congress that the President should renegotiate a new memorandum of understanding.

This legislation addresses all prison labor in China. The United States should not allow goods made by prison labor to be available in the United States market. This legislation also would provide Customs with the resources to detect and interdict prison goods. The United States should continue to be a leader on human rights issues. And by adopting this legislation, we are sending a strong message that products made by forced labor are not acceptable for sale in the United States.

I realize the original focus of this bill and other bills that we will be debating today remain on China. However, it is important to let all countries know that we will not tolerate prison labor. We should not just enforce this standard for China.

I urge support for this bill in order to eliminate products made by forced labor that are imported into the United States.

Mr. CRANE. Mr. Speaker, I yield 5 minutes to our distinguished colleague the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Illinois [Mr. CRANE] for yielding me the time.

Mr. Speaker, I want to start off by congratulating my good friend the gentleman from New Jersey [Mr. SMITH] for all of his efforts in the area of human rights. He is one of the finest Members we have in this body, and he really cares about his fellow man.

Mr. Speaker, Laogai, or "reform through labor," as it translates from

Chinese, should not be a practice by nations that surprises this Congress. But it should be shocking. We have seen it throughout history, signs on the front of Nazi prison camps that, when translated read "labor makes you free." And now Chinese slogans in their camps read "labor makes a new life."

The same gulags that Stalin was so proud of inspired Chairman Mao to launch the oppression of generations of innocent Chinese citizens, through a system of what we know now to be 1,100 labor camps, slave labor camps. As the world at one time turned its back on the victims of the Holocaust, so have they looked away from the prisoners of conscience, political dissidents, and religious believers in China. They are subjected to routine brainwashing, torture, and are forced to work for nothing in factories by the communist elite.

□ 2000

Look around at the rubber-soled shoes that we buy, the boots, the kitchenware, toys and sporting goods in this country. These are products Americans use every day, and they are produced in the Chinese gulags by slave laborers.

If it were not for a great man named Harry Wu, who knows how long this cruel injustice would have gone unexposed. Mr. Wu knows firsthand what it is like to be a prisoner in these gulags. He spent 19 years in the system and has devoted his life to exposing the slave labor camps.

In Mr. Wu's book *Troublemaker*, he gives us a glimpse of his life during the darkest days:

"I knew things were bad when they first transferred me to Camp 585, reserved for the most unhealthy inmates. The unmarked burying field of 586 was adjacent so they would not have to carry us far when we died. When prisoners at 585 grew too weak to go out to the fields and work, they would lie on the floor, a pail on one side for food, a pail on the other side for human waste. The cook would come by with a large pail of something resembling soup and would dole it out with a ladle, being careful not to spill a drop."

Mr. Speaker, as a member of the House Subcommittee on International Operations Human Rights, I believe that the United States should link trade and economic cooperation with human rights. The United States is the world's preeminent superpower, arguably the only Nation on Earth with both the economic might and the moral legitimacy to make the observance of human rights a pillar of its foreign policy. The unfortunate peoples of the world whose basic human rights are suppressed either by tyrants or failed economic experiments turn to the United States for hope and not cheap imports. From China to India, the people who suffer under such regimes understand that if America joins their struggle by sacrificing short-term economic gain for long-term justice and freedom, these regimes will die.

This administration chose again this year to grant China MFN trading status and would rather, quote, engage China, believing that human rights follows trade. Every year since 1980, when President Carter first extended MFN to China, his supporters have been saying the same thing.

Mr. Speaker, it has failed. A Clinton administration official has even confessed recently that, quote, frankly, on the human rights front, the situation has deteriorated. They are rounding up more dissidents and harassing them more.

Add to this the recent revelation by Harry Wu and the ABC newsmagazine PrimeTime Live on the harvest and sale of human organs from executed prisoners, forced abortions and persecution of religious believers, and we must ask ourselves how could anyone morally conduct business with a partner like that.

And if the morality does not strike you, what about China's sale of nuclear material to Iran or the purchase of American-made supercomputers which could design nuclear warheads for missiles capable of reaching the United States, or possible attempts to influence our 1996 Presidential election?

Some estimate our trade deficit with China to be about \$60 billion on an annual basis. I would submit that is due to China's slave labor camps. It is difficult to compete against cheaper products produced by slaves of the Chinese dictatorship so that these goods we import from China become a threat to the free and fair trade of our own country.

This administration has chosen to stand up to China only on one issue in the past 3 years, intellectual property rights. When the Chinese were faced with trading sanctions over this issue, they backed down. If this type of muscle from the administration is justified for the music industry, then it is justified for persecuted Christians, political dissidents, murdered infants and nuclear proliferation.

The President's policy is not just one of engagement, it is a "see no evil" strategy. Mr. Speaker, it is time to put away the carrots and break out the sticks.

Mr. MATSUI. Mr. Speaker, I yield 6 minutes to the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Speaker, earlier today I made an analogy between the measures that are going on tonight dealing with the People's Republic of China and a chapter of a book entitled 365 Days, written by Dr. Glasser, who was a surgeon in a burn ward dealing with Vietnam veterans. In one of those chapters he refers to the medics of Vietnam who, on their own, discovered that for those soldiers who were so horribly wounded that they were not going to live, and there was not anything that the medics could do for them, they started giving them SweetTarts. They told them it was for the pain. The amazing thing was that it seemed to lessen their pain.

It did not save their lives, it did not make them any better, but it seemed to lessen their pain.

That is kind of what we are doing tonight. The world's greatest Nation is doing business with the world's greatest totalitarian regime. That totalitarian regime has a \$40 billion trade surplus with our Nation. Our Nation, because we gave them most-favored-nation status, allows their goods, many of which are made with the slave labor described by the previous speakers, to come into our Nation either totally tariff-free or at a 2 percent tariff. One of the places they compete with is a glove factory in south Mississippi. That is not fair. In turn, when we try to sell products in their Nation, they either do not allow them in, or they charge anywhere from a 20 to 40 percent tariff on American goods. That is not fair.

All the things we are doing tonight are very much like those SweetTarts. They do not save the persons we are trying to save and in reality do not even make them feel better. It just makes them think that they feel better.

Mr. Speaker, I intend to support the bill of the gentleman from California [Mr. COX] because at least it does make us feel a little bit better, and I intend to offer at the proper time a motion to recommit to include portions of a bill that I have introduced, H.R. 2814, which would on a quarterly basis require our Secretary of the Treasury to review what the People's Republic of China is charging Americans who seek to do business in China as far as tariffs, and on a quarterly basis change that amount so that we charge them what they charge us.

If Members truly believe in free trade, like some members of both parties espouse, then there is only one way to get the Chinese attention, and that is to say we will do unto others as you do unto us, because the present situation of letting them have a \$40 billion trade surplus with our Nation, unlimited access to our markets, unlimited access to our enemies, and let me remind the American people that the Silkworm missile that came within 100 yards of hitting one of our battleships in the Gulf War was made in China, the only way we are ever going to get their attention is to start hitting them in the pocketbook, where it will make a difference.

Mr. Speaker, I am not given a whole lot of time to talk about this. I am sorry to say that many of my colleagues for one reason or another are not on the floor. They are probably being moved to say, well, that is not germane to the bill, but guess what. One of the ways you get on the Committee on Ways and Means is you sign some sort of a blood oath to be a free trader. It means you do not believe in tariffs. It means that other people can abuse us as much as they want to.

This is the only opportunity the 435 Members of this House are going to

have this year to address this horrible trade inequity and horrible unfairness. We all beat our brains out to get here. I do not think the people on the Committee on Ways and Means should have a monopoly on deciding trade issues. As long as we say to them that only those things that you think are right will come to this floor, then we will continue to be given limited opportunities to adjust the gross inequities in America's trade laws.

Members will have that chance tonight. I hope for once we will stand up for the world's greatest Nation, for the voice of democracy and against this voice of totalitarianism.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Mississippi. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding.

What I see in his bill is essentially what I offered, I think, with respect to Japan back in 1982, which is a two-way street bill, that we let the other side control the level of tariffs, and if they want to raise the wall, they raise it; if they want to lower it, they lower it. So they are motivated to be free traders or to be open traders with the United States and develop a two-way street with a Nation that enjoys a \$30 billion trade surplus over the United States and that rather arrogantly insists on their 30 percent barriers while we pull our barriers down to zero. I support the gentleman's initiative.

Mr. TAYLOR of Mississippi. I want to thank the chairman of the Subcommittee on Military Procurement of the Committee on National Security, someone who is more aware than most of the threat that the Chinese pose to our Nation, of the threatening remarks they have made about their missiles being able to land in our country, and all we are asking is for some sense of fairness in America's trade laws.

Mr. CRANE. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. SMITH].

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, H.R. 2195, which has now 27 cosponsors from both sides of the aisle, represents a modest but important first step toward enforcing already existing U.S. law regarding slave-made products. First it authorizes \$2 million in fiscal year 1999 for additional monitoring by the United States Customs Service for products made with slave labor. Second, it requires the Commissioner of Customs to report to Congress on the manufacture and export of products made with slave labor. Finally, it expresses the sense of Congress that the President should determine whether China is frustrating implementation of the memorandum of

understanding, and if the answer is affirmative, then he should begin negotiations for a new MOU with effective monitoring procedures.

I can say parenthetically, that cannot start a moment too soon, because I have been watching this as chairman of the Subcommittee on International Operations and Human Rights for a number of years, and we know that despite some action that has been taken, the MOU and its follow-on document was flawed.

Mr. Speaker, the bill is directed, as we know, primarily toward China. This is not because we are unfairly singling out China, but because China is far and away the biggest source of slave-made goods. In the words of George Weise, the Commissioner of the U.S. Customs Service, "China is currently by far the country most frequently associated with the export of prison labor-made goods to the United States."

As a matter of fact, in the first 60 years of the existence of section 307 of the Tariff Act of 1930 as amended, which provides U.S. Customs with its primary authority concerning the importation of convict or forced labor, the United States took action twice against products produced in a Soviet gulag and in a Mexican prison. Since September 1991, however, the U.S. Customs Service has banned nearly 2 dozen Chinese products. These just represent the tip of the iceberg. For the RECORD I will submit those couple of dozen at the appropriate time, Mr. Speaker.

Let me just also point out, Mr. Speaker, we have had a number of hearings in the Subcommittee on International Operations and Human Rights. As a matter of fact, back in 1995, April 3, we had the first hearing ever on survivors of the Laogai. We heard from Harry Wu, Catherine Ho; we heard from Tang Boiqiao, who was one of the protesters at Tiananmen Square, and they describe in absolutely riveting and nauseating detail what actually goes on day in and day out in the Laogai. It is horrific.

They talked about using cattle prods. As a matter of fact, the Tibetan monk who testified before our committee, Palden Gyatso, could not get through Rayburn security when he came in with a cattle prod, and then he told us what they do with the cattle prod. We had to go down and escort him through. He said, this is commonplace. His teeth are ruined. The genitals often get inflicted with this terrible and hideous device, and they do that on women and on men.

Catherine Ho talked about as a Catholic how she had been mistreated, and to read the words are to make you sick. That this goes on day in and day out, and they make products that do end up on our shelves.

There are those who may disagree, who think this is hyperbole. Look at the list, and the list will grow if we demand enhanced enforcement. This legislation is just a modest step in demanding some additional enforcement.

The gentleman from Virginia [Mr. WOLF] and I have been in gulags. We were in a Beijing prison camp where we saw jelly shoes and socks being made for export. Yes, the Chinese authorities shut down that one, but for every one that is shut down, there are another thousand plus that are operating and littering the countryside of China where these things are made.

□ 2015

We saw 40 Tiananmen Square activists, men and women, these were men in this case, who put their lives on the line for democracy, who were slaving away for these products that were going to be sent overseas to the United States.

Let me also point out, Mr. Speaker, that the lack of vigorous enforcement of U.S. laws against slave-made goods does not merely support repression within China, it also hurts American manufacturers.

For example, at a May 22, 1997, hearing of my subcommittee, we received testimony from a man by the name of Peter Levy, an American manufacturer of office supplies. Mr. Levy, who was curious about how one of his competitors was able to sell certain products at such low prices, launched his own investigation. It led him to a prison compound in Nanjing, China, where his competitor's products were being assembled by prisoners at a Chinese gulag in Laogai, and I understand because of what Mr. Levy did, the United States Customs Service has now taken that case and is investigating that case for, hopefully, some prompt action.

This legislation is modest, I hope everyone can support it, and I thank the gentleman from California [Mr. MATSUI] and my good friend from Illinois [Mr. CRANE] for their support as well.

CHINESE CONVICT LABOR ISSUANCES AS OF MAY 31, 1996

DETENTION ORDERS

- Date, products and producers:
1. 10-03-91—Wrenches—(Shanghai Laodong Machine Works).
 2. 10-03-91—Steel Pipe—(Shanghai Laodong Steel Pipe Works).
 3. 10-25-91—Hand Tools—(Shanghai Laodong Machine Works).
 4. 10-29-91—Socks—(Beijing Qinghe Knitting Mill). Cancelled 12-13-93.
 5. 11-06-91—Planing Machines—(Xiangyang Machine Tool Works).
 6. 11-14-91—Diesel Engines—(Yunnan Jinma Diesel Engine General Works).
 7. 12-02-91—Machine Presses—(Xuzhou Forging and Pressing Machinery Plant).
 8. 01-07-92—Diesel Engines & Textile Machines—(Dezhou Shengjian Machine Works).
 9. 02-25-92—Galvanized Pipes—(Shandong Laiyang Heavy Machine Works).
 10. 02-25-92—Tea—(Guangdong Red Star Tea Farm). Cancelled 09-30-94.
 11. 05-22-92—Grapes—(Beijing Qinghe Farm). Cancelled 01-07-94.
 12. 05-22-92—Sheepskin & Leather—(Qinghai Hide & Garment Factory).
 13. 06-24-92—Hand Tools—(amends #1 and #2).
 14. 06-26-92—Cast Iron Items—(Wang Tsang Coal & Iron Works).
 15. 06-26-92—Tea—(Miao Chi Tea Farm).
 16. 07-15-92—Auto Parts—(Sichuan Yaan Auto Parts Works).

17. 07-15-92—Drilling Machines—(Sichuan Zi Gong Machine Works).

18. 07-17-92—Sulfuric (Sulphuric) Acid—(Dawei Chemical Factory).

19. 08-03-92—Electric Fans & Zinc-Coated Wire—(Sichuan Xinsheng Laodong Tool Works).

20. 08-14-92—Asbestos—(Sichuan Hsinkang Asbestos Mine).

21. 07-08-93—Hoists—(Hangzhou Wulin Machine Works).

22. 08-06-93—Hoists—(Wuyi Machine Works).

23. 09-01-93—Surgical Gloves, Condoms, Rain Coats, Rubber Boots—(Shenyang Xinsheng Rubber Factory).

24. 09-03-93—Rubber Vulcanizing Accelerators—(Shenyang Xinsheng Chemical Works).

25. 12-24-94—Artificial Flowers—(Guangdong No. 1 Laojiao Camp).

26. 04-27-95—Tea—(Nanhu Laogai Camp-Nanhu Tree Farm).

27. 10-06-95—Malleable Iron Products—(Tianjin Malleable Iron Plant).

28. 03-06-96—Iron Pipe Fitting—(Tianjin Tongbao Fitting Company).

HEARING TESTIMONY ON CHINESE PRISON SYSTEM

STATEMENT OF TANG BOIQIAO, FORMER STUDENT LEADER OF 1989 DEMOCRACY MOVEMENT

Mr. TANG. My name is Tang Boiqiao and I am a former student of Hunan Teachers' College. In July 1989, I was arrested by the Communists because of my organizing and participating in the Hunan student movement. I was held until July 1990 before finally being sentenced to 3 years' detention. My crime was called counterrevolutionary propagandizing and incitement.

In October of that year, I was transferred to the Hunan Province Longxi Prison for reform through labor. In January 1991, I was unexpectedly released from prison.

After my release, I was again arrested because of my continued involvement in the popular movements and human rights activities. Following the summer of 1991, I fled China. In April 1992, I entered the United States and sought political asylum.

My reason for coming here today is to share with you my experiences while in the Laogai.

I was first arrested in July 1969 in Guangdong Province, after which I was held in three different detention centers where I was forced to labor with my fellow prisoners. While at Guangdong No. 1 Detention Center, I made toys which had the words "Made in China" in English written on them. I was allowed to eat only twice a day.

Next, I was transferred to Changsha in Hunan and spent more than a year at the Changsha No. 1 Detention Center. During this time I suffered through the darkest and most hopeless existence. For more than 4 months straight, I was questioned about my case an average 10 hours a day in what the Communists call exhaustive tactics. This Laogai forced its prisoners to produce match boxes. There were no labor rewards but every month the cellmates, which had the highest production numbers, were given one cheap cigarette a day. The police or officials forced the prisoners to work day and night so that they could report increased production output and receive cash incentives. We would work for at least 12 hours per day. The longest day was one when we worked 23½ hours with a half-hour food break.

Because I would refuse to work, the public security police would often arrange for the other prisoners to abuse and beat me. One day I was beaten three different times by seven or eight young prisoners, two of which were convicted murderers. The first time, because I was unwilling to be forced to labor,

they beat me until I bled from the eyes, ears, nose, and mouth. The second time, because I resisted when they tried to force me to kneel down, they used anything they could find in the cell to beat me, including a wooden stool, heavy wooden sticks and metal cups and bowls. The last time they beat me while I could not move and lay on the floor hunched over.

At this, the public security police were still not satisfied, so that evening they held a struggle session and ordered every prisoner in the Laogai to viciously beat me. That night I developed a fever of 104 degrees, which persisted for more than a week. I was unable to even sit upright.

While there were many methods used in torturing people at this Laogai, the most often used tools were the electric police baton and shackles. There were more than 10 kinds of shackles, including thumb shackles, so-called earth shackles, all kind of wrist shackles, chain shackles, chain-link shackles, door frame shackles, heavy shackles and others. The most simple method was to conduct a political study class where the prisoners needed to attend for long periods of time while shackled. I personally experienced electric shocks and many kinds of shackles.

The Laogai prisons used different types of abuse and control than those of the detention centers. After I was transferred to the prison, when I was first assigned to a prison brigade, we were shown the three unforgettable phrases that were written on the wall of the prison entrance. "Where are you? What are you? What are you to do here?"

Later in the daily political study classes, we needed to follow these questions with the responses, "This is a prison. I am a criminal. I am here to receive reform through labor." We also had to sing three songs at the beginning of every political study class. The songs were "Socialism is Good," "Without the Communist Party There Would be no New China" and "Emulate Lei Feng." Lei Feng was a 1950's Chinese Communist martyr.

The kind of billboard you see above the prison there has these three slogans that the prisoners see when they enter the prison, "Where are you? What are you? And what are you doing here?" And the other sign there says, has the slogans, "Labor production is the way, reform is the main goal."

The words "Socialism is good" begins "Socialism is good. Socialism is good. Everyone in a socialist society is improved." The lyrics of "Without the Communist Party, there would be no new China" are "Without the Communist Party, There Would be no New China, the Communist Party is united for the people. The Communist Party is united to save China."

The meaning of the last song is that we should all be like the Communist hero Lei Feng. That is, "Loyal to the revolution, loyal to the party, standing in the field erect and unwavering, Communist thinking emits knowledge." I realized that this was how they would force us to reform our thinking, so I refused to sing the three songs.

The police used many methods to try to intimidate and coerce me into cooperating, and in the end, I was sent to the prison of prisons, solitary confinement. Its length and height are barely enough to hold a man, and it has solid walls with only a tiny slit in the door. It very easily makes men think like animals in a cage.

These are only some of the stories of my time in the Laogai, yet all of the mistreatment and abuse I suffered in the Laogai is just a drop of water in a great river. When you think of all the abuses of the millions of Chinese citizens still condemned in the Laogai, my story is just the tip of the iceberg.

Thank you very much.

Mr. SMITH. I want to thank you for your very eloquent testimony and for bringing the horrors, however succinctly you described them, to the attention of this subcommittee. I know that many of the members will be reading this transcript and will be reading your description of what you went through personally and what others have gone through with a great deal of empathy and the sense of horror. And I think we lose that sometimes in Congress when we are so far removed from it and we make policy in somewhat of a vacuum and, again, to know what we are a part of and complicit in when we are dealing with the Chinese economic system and products manufactured in Laogai like what you made could be well finding our ways onto to our own shores, makes us—should make us act more responsibly and to bend over backwards not to be complicit in that kind of horror.

So I thank you.

What I thought we might do in the subcommittee is ask all of our witnesses to testify first and then to ask members of the subcommittee to pose questions at that time.

I would like to call to the witness chair Catherine Ho. Mrs. Ho is a Catholic who was accused of counterrevolutionary crimes. She spent 21 years in the Chinese Gulag system.

And I would ask you to proceed however you may wish. Your full statement will be made a part of the record.

STATEMENT OF CATHERINE HO, CATHOLIC NUN

Ms. Ho. My name is Catherine Ho.

One of the goals of the Laogai camps is to break the human spirit through torture of the body. But even worse than the bodily abuses is the unceasing assault of the prisoner's thoughts and individual will. This is especially true of the suffering endured by the millions of women condemned to the Laogai.

I was born into a well-educated family in Shanghai. My good parents sent me to an excellent Catholic high school. There I became a Catholic. I studied very hard and should have had a bright future. Instead, I was arrested and imprisoned by the Communist government before I was even 18 years old. I was arrested on September 8, 1955, as was our bishop in Shanghai, Cardinal Kung. Kung is now in the United States receiving medical care.

Between 1953 and 1955, the church-run schools and hospitals in Shanghai were taken over by the Communists. The church's charitable institutions were simply closed. The foreign missionaries had already been expelled as imperialists. The Chinese priests and the bishops were all targets of the Communists and were either killed or arrested one after another.

Most of the Christians were forced to go through brainwashing. They faced losing their jobs or educational opportunities. And they also faced being sent to the Laogai camps or prisons to suffer because of their faith. Religious people were continuously persecuted by Communists.

We did not oppose the government. We only wanted to practice our religion but the Communists said it was a crime against China. The only reason I was put in jail was because I was an active Christian. I was a member of the Legion of Mary, which is a devout missionary organization. And I did missionary works. I refused to renounce our church and did not want to be a part of the Communist-controlled church.

Because of my faith, they put me in jail. They isolated me from the outside world. They tried to confuse me with all their propaganda. But I knew they told lies. I could not go against my conscience. I could not deny

my faith. I could not give up my faith, which is such a precious gift that many Christians were willing to die for it.

At first they sentenced me to 7 years in the Laogai Prison in the labor camp as a counterrevolutionary. I was not allowed legal representation. I did not even have a trial. When they found out that I had still not changed my mind after my 7 years, they would not let me go. They kept me in the Laogai camp for 21 years.

The Chinese Communists cannot tolerate religion, especially the Christian religion. They have a hatred for everything which involves believing any god above or beyond human kind. To this day, they are still persecuting and imprisoning religious believers.

I would like to now give you some examples of the systematic abuse and the persecution of the Laogai camps. These Laogai camps are in no way like the prisons we know of in this country. No way. Words are not enough to convey the horrible day-to-day realities of the prisoners in the Laogai.

Physically we were always hungry, tired, and filthy. The women were forced to do heavy labor, like plowing the desert, raising cattle, or running a tea farm. The physical torture of our body was so extreme that many women's menstruation ceased in many of the women in the Laogai camp. This put great strain on both a women's body and her mind. There were never any medical treatments of this or other sicknesses.

Despite these exhaustive and grueling conditions, we were forced to produce high-level products. For example, I was in a Laogai camp tea farm for about 10 years. This is the Laogai tea farm.

The women prisoners were forced to plant the trees, take care of the plants, and then process the tea leaves into red or green tea. I spent another 4 years weaving silk and cloth in Laogai factory. On the surface, it was a textile factory in Hangzhou, but the workers were all women prisoners doing forced labor. In the factory, there were two constant pressures upon us. First was the physical fatigue. I was forced to work very hard for 14 hours a day. I had to fight exhaustion just to keep from falling into the machines. Second was the constant supervision. Since we were told that the products we made were for export to foreign countries, they watched our every move to be sure we made no mistakes. If there were mistakes or someone did not appear to be working hard, we were severely punished. They used ankle fetters, handcuffs, solitary confinement, and other means to punish us.

Today I often wonder if the tea I drink or the silk I wear comes from Laogai camps and is made by all those poor Laogai slaves still suffering in China.

Daily we were assaulted mentally. We were continually brainwashed. We were not allowed to say our prayers or to read bibles. I remember clearly my first day in the detention center. I knelt down on the muddy ground, bowed my head, and begged for the Lord to give me the strength. The warden immediately scolded me, "Who told you to kneel down? Even at the door of death, you keep up your superstitions. This is a counterrevolutionary activity."

In the Laogai, we were not allowed to hear and read anything but the Communist propaganda. We had to spend 2 hours everyday reading Mao's book and reciting the prison regulations. I remember one 60-year-old sister who made a set of small rosary beads out of thread so it will not be discovered and confiscated by the guards.

The continuous brainwashing helped destroy all human love and was a denial of all basic human rights.

Spiritually, it was a constant struggle. We faced constant despair and always heard the

discouraging and threatening comments of the authorities. A prisoner had to confess her crime everyday, which meant scolding oneself and accusing oneself of being guilty of the greatest of crimes against the people and the government.

Every prisoner was degraded. They minimized their own value of being human. They were separated from their families and society. They were tortured in a dark hell that had no foreseeable end. They fought the despair and hopelessness of thinking that they were to spend the rest of their lives as slaves in the Laogai.

One woman refused to work on Sundays. She would say prayers instead of singing revolutionary songs in front of Mao's portrait. One day she was dragged out to the field where we were working and beaten to death in front of all of us.

I said the Communists' aim is to torture the body and break the human spirit in every possible way and at every possible opportunity. When the warden told me my beloved sister had died, he simply said, "The People's Government acted humanely. It is all over now. You should not cry because that is against the rules. And it would have a bad effect on the feelings of the others about thought reform." They did not let us laugh. They even did not let us cry.

They succeeded to the point where to many it looked like there was no future, no hope. The prisoners in the Laogai camp were always in a deep depression. I myself prayed to God to let me die. I wanted to die more than I wanted to live because the circumstances were too horrible. Even if you did not want to continue living under this condition, they would not let you die. There was a constant suicide watch.

God sustained us nevertheless. My faith preserved me. God's grace helped me live through this nightmarish journey. Finally my prayers were answered. After my parents had written many, many letters to the Government from Hong Kong, my husband, my son and I were allowed to leave the Laogai in December 1978.

Today, I sit before you, which I had never dreamed 20 years ago. I sit before you to take this opportunity to tell you the truth, to tell you the facts as I have myself experienced. But I speak not for myself but for the thousands of brothers and sisters who are still living this terrible existence.

Thank you for listening to me tell my story. I hope that you may better understand the realities of the Laogai through my account of it. Thank you.

Mr. SMITH. Mrs. Ho, I want to thank you for your very moving testimony and just observe that there is a conference on women slated for Beijing in the fall of this year and the voice and the testimony, the witness that you have made today is something that needs to be heard at that conference.

Unfortunately, it is most likely going to be a conference that has more of a Western-oriented focus and issues of the abuse of women in the Laogai probably will not get mentioned at all. But I think it behooves us, and I know from my position as chairman of this subcommittee I will push hard to try to ensure that you and people who have the kinds of experiences that you have had at the hands of your jailers get an opportunity to make your voice known at that very important conference.

And I do want to thank you for your witness and certainly your courage under such extreme pressure and your witness for faith and the grace that surely had to have been within you to preserve you during that very difficult time. It is very, very inspiring indeed. So I thank you for that testimony.

I would like to—and again at the conclusion of our witnesses, I would ask my sub-

committee colleagues and myself to—we will pose questions to our fine witnesses.

I would like to ask Father Cai if he would come to the witness table at this time.

Father Cai is a Catholic priest. He was accused of counterrevolutionary crimes and for that spent 35 years in the Chinese Laogai. A remarkable man who has persevered and who has had perseverance under such extreme situation, and who is here to give us an account of what went on.

And I would ask, Father, if you would proceed as you would like. Your full statement will be made a part of the record.

STATEMENT OF CAI ZHONGXIAN, CATHOLIC PRIEST

Mr. CAI. My testimony of my Laogai is that of a labor-camp life. My name is Cai Zhongxian. I am a Catholic priest of the Society of Jesus.

I was ordained in 1940. I was arrested and charged as a counterrevolutionary in 1953 because of my refusal to cooperate with the Communist authority and denounce the Roman Catholic Church.

I was unexpectedly released without explanation in 1956. It turned out that the Communist hoped that the leniency showed to me would convince me to collaborate with the Party to persuade other Catholics to become members of the officially sanctioned Patriotic Catholic Church. This Patriotic Catholic Church is nothing more than a Communist puppet organization. When I refused to cooperate, I was once again arrested. So I was detained twice for a total of 7 years at the Shanghai Detention Center without charge or trial until I was finally sentenced to a 15-year term in 1960.

I was then sent to a Laogai camp in Jiangxi Province, which served as a brick factory. A lot of people avoided dying of starvation mostly because they supplemented the rationed food by eating frogs, snakes, and rats.

In 1962, four other priests and I were confined in a 6 by 12 foot windowless room that was filled with an inch of standing water. Despite this ill treatment and the other inhumane conditions, I continued my services as a Catholic priest. I even successfully converted some of the guards who were charged to watch us.

At the completion of my sentence, I was 62 years old. But I was not fully released at that time. The Government forced me to accept forced job replacement in the Laogai labor camp because I was originally charged with the counterrevolutionary crime.

I knew that a forced-job replacement assignment means a life sentence laboring at the Laogai labor camp. I labored at the Nanchang No. 4 prison for 11 years as a forced-job replacement worker.

In 1981, at the age of 74, I was again arrested for my continued activity as a Catholic priest. I was sentenced to serve another 10-year term as a Laogai slave.

In 1988, I was released fully and unexpectedly. I was 81 years old at the time of my release. I served a total of 35 years in the labor camp. I cannot begin to tell you how many people, among them many of my friends and my disciples disappeared completely for every one that survived.

Thank you for inviting me here. I hope I have helped you gain an understanding of the Communist government's willingness to use the Laogai to destroy its citizens' human rights. There are still priests in the Laogai camp.

Thank you.

Mr. SMITH. Thank you, Father, very much for that moving testimony as well. I am 42 years old, and when I think that you have spent 35 of your years in the Laogai simply because of your faith in Christ, it is truly

moving and I know every member of this subcommittee will take and remember your testimony.

The Chinese Communists obviously do not discriminate when they repress, and all people of faith who follow the lead of God as they believe it is leading, are equally repressed. And to give a unique perspective as it relates to the suffering of the people of Tibet, we are very pleased to welcome Palden Gyatso, a Tibetan monk, who spent, like Father, 32 years of his life in the Chinese Laogai, and will give the insights that he got from that and will recount and give witness to the suffering and cruelty that was imposed upon him.

Please proceed.

STATEMENT OF PALDEN GYATSO, TIBETAN MONK

Mr. GYATSO. My name is Palden Gyatso.

Mr. KELSANG. I am Kelsang, who will be the translator for him today.

Mr. GYATSO. I have longed for this moment most of the last 36 years and it is like a dream come true, and I would like to thank the chairman and the other members of the committee for giving me this opportunity to be here today. And consider it not only as an honor but also a responsibility to inform the U.S. Congress about the abuses that Tibetans are suffering today in Tibet.

I have been in prison for 24 years and for 8 years I was in a Chinese labor camp and during my days in prison, the Chinese never fed us enough and we were forced to rummage through the food that was meant for the pigs. And we were also driven to eat things like leather, bones, and grass, and it could be any bones, human as well as animal.

So since food was not enough, we were forced to eat leather that we wore, and we also had to resort to eating things like worms and, as I said, grasses.

And a lot of people died due to starvation, and I was around 30 years old then, and some of the other things that went on during my stay in prison, along with not getting enough food, we were also made to work in the fields. We were substituted for cows in plowing the field.

The reason why the Chinese put me in prison was because I had called for more freedom and I had demanded more rights, and the Chinese considered that to be engaging in revolutionary activities, and these instruments that you see before me today are some of the tools that were used to carry out the torture on me.

Now, this is a piece of the electric baton that was used and forced through my mouth and what happened was since this had electric shocks, it totally damaged my teeth.

And I also saw Chinese prison officials inserting this into a woman's vagina, and even today I know of women who have difficulty in going to the bathroom because of the damage that they suffered.

And I still bear today on my body some of the marks that were inflicted because of this torture. For instance, because of the self-tightening handcuff here, even today I have scars on both my hands and they do not function properly. And some of the other things that the Chinese did was keeping me suspended in the air, and then beating with rifle butts and piercing me with bayonets and pouring hot water over my body. And as a result, I have injury marks on my head and on my hands.

And I was even a witness to a couple of people who were sentenced to death. As soon as the Chinese announced that someone was to be sentenced to death, what they did was they would force that political person of engage in singing songs and dancing. The bullets that were used to kill someone, as well as the ropes that were used to hang someone, even the expenses involved for that would be deducted from the convicted person.

These practices that go on in Chinese prisons and labor camps in Tibet reflect the overall abuses going on today. And in this regard, I would sort of especially like to mention the trip by Ambassador Lilley in April 1991.

And I have kept this diary to this day, and this is a diary that I kept while I was in prison.

Mr. GYATSO. And I have a slide of the day and the month when then Ambassador Lilley visited Drapchi Prison in Lhasa. That is the site of the Utritu prison in Lhasa where I spent 9 years.

That is a shot of Sangyip prison where I spent 10 years.

That is a shot of Drapchi prison where I spent 7 years.

And that is a map of Lhasa and the ones in red, they show the detention facilities in Lhasa and they number about eight today. And the ones in yellow and orange are military and police complexes. And the ones in green are really what is left of the traditional Tibetan area in Lhasa today.

In April 1991, then ambassador James Lilley, along with two American officials, visited the Drapchi prison. And what Palden Gyatso and his other friends in prison did was they tried to present to Ambassador Lilley a petition detailing the Chinese abuses in prison. But what happened was ambassador Lilley—he was shaking his hands with one of the prisoners and on his other hand he had the petition, but then one of the Chinese guards just snatched away the petition and after Ambassador Lilley left, the petition was given to the warden of the prison, and because after he left, the Chinese officials called in the Army. They had to go through a really hard time.

And the other aspect of the visit was that every time when such a delegation does visit any Tibetan prisons, the Chinese put on a very different show. The prisons are cleaned up and more food is provided. Just to give the impression that the prisoners are healthy and that there is nothing wrong with them.

And two of the individuals connected with presenting the petition to Ambassador Lilley, Lobsang Tenzin and Tenpa Wangdak, were detained in solitary confinement because of the action.

The prisoners were then transferred to Nepal Tramo labor camp close to Lhasa. After that the army came in and then they started beating us up and started torturing us.

These are only a few instances of the various atrocities committed by the Chinese on the Tibetans, and whatever I have told you today is true and I am really glad that I have had a chance to come here today and inform you all about this. And please remember that there are still people inside Tibet today who are going through similar experiences that I have gone through.

Thank you very much.

Mr. SMITH. Mr. Gyatso, I thank you for your, again, very moving testimony and by actually visually displaying the implements used to repress people and to torture them. You bring an additional dimension to our understanding, feeble as it is, to what it must be like to live under the horrors of this terrible Gulag system.

And, you know, what we have been hearing so far, and I know my colleagues and I all feel this, and that is you are witness, and Father Cai, you as well, to unspeakable horrors. And to think that this Government, the U.S. Government, and many other Western governments, continue to trade and to do business with the dictatorship in Beijing as if none of this is going on, or as if it can be put in a compartment and all other trade and commerce and diplomatic niceties can

occur with all of these unspeakable horrors going on baffles me and angers me, and I think it does you as well.

Again, I think on this committee and among Members on both sides of the aisle who care so deeply, our hope is to raise human rights to the level that it deserves. It ought to be central in our relationship with the Peoples Republic of China and any other country of the world, not a sub-issue. Regrettably it is a subissue at the current time.

I would like to ask Mr. Frank Wolf, Congressman Wolf, if he would like to join us. Mr. Wolf is a leader in human rights and has been very active, particularly on the issue of China and the use of Gulag labor and the importation of those products, and religious freedom as well.

I would like to call our final panel before going to questions to appear before the subcommittee. And the first to speak will be Mr. Liu, who is the son of a counterrevolutionary, a man who was first imprisoned at the age of 13. A man who, because of the affiliations of his father, who was in the prior government, was targeted for this mistreatment, and then spent a total of 25 years in the Chinese Laogai.

Mr. Liu, if you could present your testimony, and your full statement will be made a part of the record, and you may proceed as you care to.

STATEMENT OF LIU XINHU, JUVENILE PRISONER

Mr. LIU. My name is Liu Xinhui. My father was an official in the former government. The Communist Party, on the pretext that he would disrupt labor discipline, arrested him and sent him to a reeducation-through-labor prison camp in 1958. He was sent to the Baimaoling Farm to serve his sentence.

In 1958, I was 13 years old. Because I was the eldest son in the family of a counterrevolutionary, the Communist government found an excuse, which had no legal precedent, and sent me to live at the same Laogai prison farm as my father.

After being released from the Laogai sentence at the farm in 1966, I was ordered to continue forced labor at the farm as a forced-job placement worker.

In 1974, I was once again labeled a counterrevolutionary element because of my political attitudes. I was placed under even stricter controls. I was detained until my release in 1983. During the 25 years I spent in the Laogai, I suffered innumerable beatings and tortments.

The Baimaoling farm is internally known as the Shanghai No. 2 Laogai general brigade. It is located in the southeast area of Anhui Province. Its scale is enormous and it holds an average 50,000 Laogai prisoners, Laojiao prisoners, and jiuye personnel. It produces tea, rice, valves and toys, as well as other goods.

Besides the farming that I did at the Laogai prison, I was also part of a so-called corpse brigade. At that time there was massive starvation in China and people were dying by the scores. And so they needed people to bury the bodies, and I was a part of that corpse brigade.

My father and I were detained in different sections of the farm and we were not permitted to see each other. The public security police only told me in 1993 that he had died and that I had to go and claim the corpse. Once at the crematorium, I saw his cold and pale body. I was given these clothes that he was wearing and I cried bitterly. I felt that my father was braver than I was because he dared to determine his own end to his difficult life and gain his freedom.

Mr. LIU. The first pair of clothes that you saw were the clothes that I took off my father's body in 1993.

These clothes are the clothes that I wore. And these are also clothes that I wore.

I now live in the United States and I have a family of my own. I deeply hope that my children and all other children, as well as future generations, do not have to suffer these kinds of tortures and difficulties.

Thank you all very much for your concern about the Chinese Laogai system.

Mr. SMITH. Thank you very much. Mr. Liu, for your testimony and, again, by showing us the prison garb. You remind us again that this is a reality that has to be dealt with. It is not something that is in the past. It is current. It is as current as today. And unfortunately our policies vis-a-vis the PRC act as if the rogue government that has the power in Beijing somehow should be treated with respect. And when you so disrespect your own citizenry to use torture and to impose so much pain and cruelty, it behooves this Congress I think to up the ante and be much more concerned about human rights than we are with profits.

So I thank you for your very strong statement.

Our last witness will be Harry Wu. Harry Wu is someone who many of us have come to know and greatly admire because of his tremendous courage. Not only did he spend 19 years in the Chinese Laogai, but he also has gone back risking his own life, possible imprisonment and death, to bring more information out to bear further witness to the continued repression by the Peoples Republic of China.

And, Harry, we are indebted to you for providing this information. Anyone anywhere in the world who cares about human rights has to look up to you as one of the great giants and leaders in the cause of human rights.

I would ask you to, if you would, present your testimony at this point.

STATEMENT OF HARRY WU

Mr. WU. Ladies, gentlemen, my name is Wu Hongda and English name is Harry Wu.

I was born in Shanghai in 1937. During my second year of college, in 1957, the students were encouraged by the Communist Party to express their opinions and concerns about the direction of the country. Although I initially kept quiet, in the end I offered a few criticisms, including my opinion that the Soviet invasion of Hungary in 1956 was in violation of international law, and I stated my feelings that the Communists were treating the common people as second-class citizens. Because of these comments, I was denounced as a capitalist counterrevolutionary rightist.

I was arrested and, without a trial, sentenced to life in the reeducation labor camp in 1960. I was told this was because of my poor political attitude. My life sentence was mostly a result of my family's political background because my father was a banker. While I was held in the Laogai, my mother died. I found out 15 years later she committed suicide by taking sleeping pills shortly after she was told of my arrest. I discovered this only after returning to Shanghai years later to collect her ashes.

In December 1969 I was released from my Laogai sentence. That did not mean I was freed from the camp and allowed to return to my home. Instead, I was forced to resettle permanently at the Laogai coal mine and serve as a forced-job placement personnel. In other words, I was not released at all and forced to continue as forced labor until my final release from the Laogai system in 1979.

I spent 19 years in the Laogai at 12 different forced labor camps. I was forced to do slave labor at agricultural farms, a chemical factory, a steel plant, and a coal mine. I was regularly denied food and during one period nearly starved to death. Torture permanently damaged my back. I had my arm broken during a beating. I was nearly killed in a coal mine accident.

I had to become a beast to survive day-to-day life in the Laogai. Today, all over the so-called new China there are millions still fighting to survive the Laogai.

Mr. Chairman, the subcommittee has heard today short descriptions of the experiences of six Laogai survivors. I would like to now present a brief overview of the origins, structures, and scope of the system.

With your permission, Mr. Chairman, I will submit a more detailed statement of this for the record.

Every totalitarian regime must have means to control and suppress opposition. The Nazis in Germany had their concentration camp systems throughout Europe, which housed millions of people whose religion, race, or political views made them targets of persecution. The vast Gulag in the former Soviet Union was first created to remove the White Russians from society soon after the revolution which brought the Communists to power. Throughout its history, the Gulag served as a destination, often final, for both penal criminals and those who opposed Stalin and other Soviet leaders.

The Chinese Laogai, in its origins, was quite similar to the Gulag. But Mao adapted the Soviet model to the Chinese context. The Laogai became a tool of the people's democratic dictatorship in fighting dissent within an ongoing class struggle.

The official function of the Laogai is to remove counter-revolutionaries and other criminal offenders from the population and to place them under state supervision. In the Laogai, prisoners undergo thought reform and reform through labor and are reshaped into new socialist persons. Arrests and sentences, even for common criminals, are based as much on class background and political standing as on criminal activity and only reinforce the true nature of the system: absolute political control.

The term "laogaidui" is used as shorthand by the Chinese people in much of the same way Gulag was used in the Soviet Union. It instills fear in the average person. The existence of the Laogai remains the central human rights issue in China and Tibet today.

As a system, its scope, numbers of the camps and prisoners, degree of cruelty, and a fundamental inhumanity long surpassed the Soviet Gulag.

Today I want to focus on the Laodong gaizao, laojiao, and jiuye components. One thing, all of them were mixed together into one idea to use the so-called thought reform and forced labor.

Official Communist Party documents from the 1950's say that the Laogai is, "The process of labor reform of criminals which essentially is an effective method of purging and eliminating all criminals and counterrevolutionaries."

In 1988, the Ministry of Justice published a criminal reform handbook which summed up the purpose of the Laogai as follows: "The primary task of our Laogai facility is punishing and reforming criminals. To define their functions concretely, they fulfill the tasks in the following three fields: punishing criminals and putting them under surveillance; reforming criminals; and, organizing criminals in labor and production, thus creating wealth for the society."

This is clear acknowledgement of the state-run slave labor of the Laogai system.

Laojiao, or reeducation-through-labor, plays a unique role within the Laogai system. It was created as a last resort, extreme alternative to the existing reform through labor policy. It was established in the 1950's after the Communists had nearly eliminated all of the remaining enemies of the revolution from the capitalist classes.

The Communist labeled this the highest level administering of discipline. To this

day, the Chinese Government maintains that reeducation-through-labor is not part of the judiciary system. In fact, as in its early days, the Government intentionally used the reeducation-through-labor policy to imprison people in force labor camps, without even a trace, for periods of 2 to 3 years.

Evidence exists indicating that reeducation-through-labor is more widely used today than ever. And a large number of the students, intellectuals, workers, and religious believers and dissidents are currently locked in the reeducation camps for their criminal activities. These camps are fundamentally no different from the other forced labor camps in the system.

Thought reform and reform-through-labor are both the principal methods of the Laogai camp. There is a saying in the Laogai camps that goes, "There is an end to Laogai and laojiao, but jiuye is forever."

Before 1980, almost 90 percent of the Laogai prisoners and laojiao prisoners were never fully released from the system. They were simply transferred into a forced-job placement personnel or what we call jiuye. Personnel, within the camps.

The official explanation of the forced-job placement is, "To fully implement labor reform policies and ensure public safety." This practice continues today on a large scale, but not as much as prior to 1980. Part of the reason for forced-job placement is that the Communists realize they cannot trust Laogai prisoners or laojiao prisoners; the people who have suffered greatly and seen the true nature of the Communist system. Also these prisoners are necessary to maintain production in the camps considering the constant flow of the new prisoners. In other words, their experience in the operation of the Laogai is necessary to keep the system working.

All Laogai prisoners are forced to labor to compel reform and become new socialist persons. New arrivals are subject to immediate, daily, lengthy integration sessions and forced to admit their crimes. These sessions may last days, weeks, or months. In some cases, they last years.

The official Laogai policy is reform first, production second. The prisoners of the Laogai face constant brainwashing. The value system of the society as a whole has not place in the Laogai. The prisoner is stripped of his morals, his beliefs, his religions, his individual will, his sense of right or wrong. They are encouraged to stand together with the Government and denounce their crimes. They are completely retrained to follow the moral order of the Communist Party and its society.

If a prisoner resists, he or she is tortured. There is much evidence coming to light that thought reform is less and less successful. This apparently persuaded the Laogai officials to rely more and more on physical torture. This situation is understandable as it becomes clear that even the Communists no longer believe their own ideology.

But struggle meetings are still held. Mao Tse Tung's teachings are still used and those that show a poor political attitude are beaten.

Laogai prisoners reform progress is judged in part by their productive output. Prisoners have a work quota and punished if it is not met. Food is withheld. Beatings are given. Solitary confinement is common and already limited family visits and contacts are eliminated.

In adding this as summary, Mr. Chairman, I would like to address the number of the people who have gone through the Laogai system and how many are still there in China and Tibet today.

The Chinese Government 2 years ago stated that 10 million people had been sent to

the camps since they came to power. And at this point, 2 million are still in some 685 camps. This is a ridiculous figure. Who can believe that in a country of 1.2 billion people, over the 45-year history, only 10 million people have been in prison.

One should never, of course, believe any number they give to the public. In fact, no one will probably ever know the true number of the people they executed and sent to the camps.

I am submitting for the record my detailed analysis.¹ I estimate that since 1949 more than 50 million people have been Laogai or laojiao prisoners. Remember, laojiao or reeducation-through-labor is not considered by the Communists to be imprisonment. Therefore, they do not count these people in either their 10 million figure or in the current two million figure.

Neither do they today count those in the province, county or village detention centers, military prisons or secret prisons.

We at the Laogai Research Foundation have documented nearly 1,100 camps, a list of which I am submitting for the record. Our list does not include detention centers or military or secret prisons, nor is it a complete list of labor camps. We are learning of others every month.

Mr. Chairman, if we consider reform through labor, reeducation-through-labor, and forced-job placement personnel prisoners alone, I believe the Chinese Government has between 8 to 10 million people in the Laogai today.

Mr. Chairman, thank you for offering us, survivors of the Laogai, from China and from Tibet, the opportunity to improve your understanding of the world's most extensive forced-labor camp system. A system which is a human rights abuse of momentous proportions.

This is the first hearing on the Laogai ever conducted by any democratic legislative body in the world. We are very grateful. Thank you.

Mr. MATSUI. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank my friend from California [Mr. MATSUI] for yielding this time to me, and, Mr. Speaker, I rise in very strong support of H.R. 2195 and applaud its author, my friend, the gentleman from New Jersey [Mr. SMITH], for his work and his commitment to promoting human rights not only in China but around the world. He is sitting next to at this point in time the gentleman from Virginia [Mr. WOLF].

Mr. WOLF and I serve on the Subcommittee on Treasury, Postal Service, and General Government, and Mr. WOLF for over a decade has been a strong proponent of urging the Treasury Department to fully enforce existing law as it relates to slave labor.

So I want to congratulate both the gentleman from New Jersey [Mr. SMITH] and the gentleman from Virginia [Mr. WOLF], my colleagues on the Helsinki Commission, for their leadership over long periods of time. More generally, I would like to applaud the gentleman from California [Mr. COX] as well and the other Members who worked to provide vehicles other than the MFN debate for this body to address the range of policy issues which form our complex relationship with China.

I have opposed, Mr. Speaker, MFN for China because I believe we have been too tolerant for too long. Clearly, a strong, prosperous, and democratic China will not come about without U.S. engagement. But a policy of constructive engagement, Mr. Speaker, must not amount to a practice of reaping the economic benefits of trade and exchange with China while turning a blind eye to human rights abuses.

Eight years after China's brutal demonstration of military repression of basic freedoms of speech and association at Tiananmen Square, reports persist of widespread and egregious human rights abuses, including the Chinese Government's maintenance of slave labor camps with which this particular amendment specifically deals.

H.R. 2195 speaks to this area of human rights abuse by saying properly that if we are going to have free trade with China, then let us be sure that we are not directly or indirectly promoting the practice of slave labor by allowing its fruits to enter our markets.

Mr. Speaker, the promotion of democratic reforms which will afford the Chinese people the basic freedoms they now lack must not, let me repeat, must not, be a peripheral element of American foreign policy towards China. It was not with respect to our relations with the Soviet Union when it existed, and it must not be with respect to our relations with China.

The mantle, "leader of the free world," is not earned through mere lip service. If the United States is going to engage China in trade, it must also engage China directly on the matter of human rights. Political and religious persecution, enforcement of population control through coerced abortion and sterilization, and organ harvesting from death row prisoners are not modes of conduct which ought to be consistent with friendship with the United States of America.

We must adopt policies, Mr. Speaker, which put action behind our outrage. It is not enough to talk about the abuses, it is not enough to rhetorically oppose those abuses, we must act on our conviction and on our principles. H.R. 2195 is an appropriate and constructive step in this direction, and I urge my colleagues to support it.

Mr. CRANE. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOLF].

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I rise in support of the bill. I want to thank the gentleman from California [Mr. COX] and the gentleman from New York [Mr. GILMAN] and the gentleman from New Jersey [Mr. SMITH] and the gentleman from Maryland [Mr. HOYER] and the others for this.

Before I begin, let me just say outright, I am worried that this administration and this Congress, on both sides of the aisle, are becoming an economic-driven party that cares very little with

regard to some of these fundamental values. And I know there are good people on both sides, but I worry every time I hear about things, it is economic, economic, economic, economic, and very little about the passion and the compassion and what is going on with regard to that.

So this is a good bill, but will the administration enforce it? Will they do anything about it? I just do not know.

Now I want to say what the gentleman from New Jersey [Mr. SMITH] said. I happened to be with the gentleman from New Jersey [Mr. SMITH] in Beijing Prison No. 1. We have socks in my office that I picked up off the line and we had analyzed. They were for export to the United States. They had golfers on the sides of the socks. They do not play golf in China. Certainly they did not play golf in 1991.

Secondly, we have got to know that there are more gulags in China today than there were when Solzhenitsyn wrote the book that was a profound book, "Gulag Archipelago." There are more gulags in China today than there were during his time. Fifty million people have been through them; 6 to 8 million people are going through them today. And what items? Toys, artificial flowers, Christmas decorations, and the birth of Christ, the birth of Christ, Jesus at Christmastime, and more of the Christmas decorations are made with regard to slave labor.

In fact, as I will tell my colleagues, there are Members in this body and there are Members that are watching that have goods. Some of my colleagues are wearing goods; they do not know it; many of my colleagues have it at home, with regard to artificial flowers, with regard to cotton goods that are made in slave labor camps. Two million dollars; it is good.

I want to thank the gentleman from California [Mr. COX], the gentleman from New Jersey [Mr. SMITH], the gentleman from Illinois [Mr. CRANE], the gentleman from California [Mr. MATSUI].

I doubt, though, whether this administration, and let me just say the Bush administration was no better, the Bush administration was no better in enforcing these, and the Customs officials at the administration were no better, and this administration has been a disaster. In fact, it took them 2 years to go into Beijing Prison No. 1, and finally, when they went in, they had removed all the evidence. There are gulags, there are goods coming over.

This will be a good first step. I just hope and pray, after we pass it with an overwhelming vote, that it will go over to the Senate with such a majority vote, such a lead vote, that Mr. LOTT and others will pick it up and pass it whereby we can take the whole package and then do something whereby the people that are in the camps know that the United States Congress has spoken out and has done something constructive.

Mr. MATSUI. Mr. Speaker, I reserve the balance of my time.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to our colleague, the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding this time to me. I want to express my appreciation for the work of the gentleman from New Jersey [Mr. SMITH], the author of this legislation. It is very, very important, and I rise in strong support of H.R. 2195.

I think an appropriate question could be asked, do the people of the United States care about what happens in the Chinese forced labor camps? And I can tell my colleagues that the common-sense people of Arkansas, where I live and work and who I represent, care about what happens to the 6 to 8 million people in the forced labor camps. I get asked about it in town meetings; they express their concern about it. And why do they do this? Because they know what is happening there and they have learned the lessons of history that if we do not care, evil triumphs.

And so we do not want to repeat the lessons of history, we want to do something where we have an opportunity, and we have that opportunity now. They do not want, because they know history, they do not want to give aid to the enemy by purchasing products that are made with slave labor. The problem is, we do not always know.

This legislation gives \$2 million to the Customs Service to properly monitor what happens and try to determine where those slave labor camps are and the products that come from them, requires reports to Congress. Right now, the Customs Service do not have the resources. This gives them the resources they need to track what is made in those slave labor camps, from uranium to toys to Chinese tea.

Scripture tells us that we should not give speed to evil doers, and I think in our country we have inadvertently done that. We must put an end to that. This bill addresses that problem. We will send a strong signal to the Chinese Government that is very, very necessary right now, that trade is important, but it is not all important, and what happens in those forced labor camps is important, and we do not want to buy those products, and we want that to stop in that land.

Mr. MATSUI. Mr. Speaker, I reserve the balance of my time.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to our colleague, the gentleman from Texas [Mr. JOHNSON].

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is high time to stop products produced by slave labor in China from entering the United States of America. For more than 50 years, we have banned products produced by slave labor in China, but they continue to flood our markets every day. I think it is appalling. We should not support products that are produced by a nation that endorses or uses slave labor.

My question is, where is the administration? The President promised he

would no longer tolerate these practices from China, but these products still enter this country, and the administration refuses to enforce current law. President Clinton is unable or unwilling to stand up to the Chinese and say this will no longer be tolerated.

This bill goes a long way toward making up for the administration failings. It gives the Customs office the tools to hire more inspectors to track and stop these tainted goods from entering the United States. It also gives the American Embassy the equipment they need to monitor goods produced in these inhumane slave camps throughout China. I have to wonder, if the President spent as much time and effort improving human rights in China as he has on State parties and fancy dinners for President Jiang, maybe China would change its ways.

Mr. President, the prisoners stuck in these slave camps depend on our actions speaking louder than our words. Let us vote for this bill.

Mr. MATSUI. Mr. Speaker, I reserve the balance of my time.

Mr. CRANE. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Speaker, I rise to support H.R. 2195.

As Americans, we must stand up in opposition to slave-made goods. As a member of the Human Rights Caucus, I want to commend the gentleman from New Jersey [Mr. SMITH], chairman of the subcommittee, and the House Committee on International Relations for introducing this forward-thinking legislation which calls for the U.S. Commissioner of Customs to report, after a period of inspection, the extent of the use of forced labor in China and manufactured products destined to the United States market, the volume of products made with forced labor destined to the United States market, the progress of the United States Customs Service in identifying and interdicting products made with forced labor.

Mr. Speaker, this is a bipartisan bill. It is a matter of fairness, it is a matter of human rights, and we here in the Congress and the House of Representatives tonight have an opportunity to vote for a bill that is going to make a positive change in China. After we receive the report from the Commissioner, the action can be taken to make sure that the appropriate changes will be made in China.

And I thank the gentleman from New Jersey [Mr. SMITH] for introducing this legislation and would like to add my name as a cosponsor to the bill.

Mr. MATSUI. Mr. Speaker, I reserve the balance of my time.

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Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. COX].

Mr. COX of California. Mr. Speaker, slavery is an ugly institution, and its most hideous and virulent form is pris-

on slave labor. Slavery was not officially abolished in imperial China until the end of the Manchu dynasty in 1908, and even then, the law permitted families in time of famine to indenture their children for over 20 years.

But even though slavery was not officially abolished in China until earlier in this century, it was the ignominious achievement of Chinese communism to reinstate it in the form of the notorious Laogai slave labor camps. The Laogai, or reform through labor, camps have been an integral part of Chinese totalitarianism since the inception of the People's Republic of China in 1949. They are designed for the dual purposes of political control and forced development modeled on Stalin's Soviet gulag.

An estimated 50 million Chinese men and women have passed through these camps, of whom 15 million have perished. Today, anywhere from 6 to 8 million people are captive in the 1,100 camps of the Laogai, held and forced to work under grossly inhumane conditions.

The People's Republic of China tells us that this does not go on at all, but today the United States does not impose punitive tariffs on these products, we ban them. Mr. Speaker, 27 specified products of the Laogai camps are already kept out by our Customs agents and yet the Customs authorities tell us they just do not have the resources to do the job and this bill gives them those resources.

The United States has two agreements with the People's Republic of China, binding agreements executed in 1992 and 1994, that not only bar trade on prison-made slave labor products, but also allow the United States to inspect those forced labor camps. But the Chinese Government, in 1996, allowed us access to just one of those.

This bill requires the President to renegotiate that MOU and rectify the situation.

I congratulate the author, and I urge support of the gentleman's bill on slave labor products.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to our colleague, the gentleman from New Jersey [Mr. SMITH].

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Illinois [Mr. CRANE], my good friend, for yielding.

Let me just say, and to pick up on what the gentleman from California [Mr. COX] just pointed out about the number of detention orders, the number exceeds 27 and is growing. But there is a real problem, and this is addressed in the bill, asking the President to look at it very carefully, to renegotiate the memorandum of understanding that we currently have in existence.

Most people would find it almost ridiculous that we have to give specific information first, and remember, this is a closed country. We do not have ac-

cess to the Laogai, we do not have access to these prison camps, but we have to almost find some way to ascertain whether or not there is a violation going on with specific information. The Chinese then, under the MOU, investigated themselves and gave us their findings. So we have the alleged perpetrator investigating themselves and then they come back to us. Then, we have 60 days that we have to wait to actually make a site visit and very often it far exceeds 60 days.

Let me give one example that was cited very recently by our Commissioner of Customs, George Weise. He pointed out in his testimony on March 21, 1997, that on March 11, 1996, the Chinese Ministry of Justice notified the custom attache that she be allowed to visit the Changsha Laogai machinery factory. He points out in his testimony that the request to go to that factory began in 1992. Four years to finally have site access to a prison camp that is not unlike the one that is to my left that was found to be in violation of our code and thankfully, there is a detention order on the pipes coming out of that detention camp.

Mr. Speaker, we need to renegotiate that MOU. I have been over there, I have talked to the customs people. They cannot get access. They run into roadblocks, they run into bureaucratic snafus over and over again, and then somehow, the administration comes up, and my friend the gentleman from Virginia [Mr. WOLF] said the Bush administration was just like this.

My good friend from Virginia said a moment ago, we do not have access to these prison camps. The Bush administration were the ones who actually negotiated the MOU, and then they come up to our hearings and they say, look at this. We had this fine statement of principles, memorandum of understanding and that defies all kinds of good will as if the Chinese dictatorship is cooperating with us.

Nothing could be further from the truth. They are not. It is a sham. We try to make the sham work. That is why we get a few detention orders, but it is about time we enhanced our access, hopefully unfettered access. But I do not think that is going to happen any time soon. We need to tighten this MOU.

This resolution calls on the President to look into that, and hopefully he will realize it is bad business and certainly a violation of human rights to allow slave-made goods to come to our shores, especially when we are talking about religious prisoners and human rights activists who are being tortured and used in ways that none of us would see as civilized.

So I hope my colleagues support this legislation.

The SPEAKER pro tempore (Mr. QUINN). The Chair would inform the Members that the gentleman from Illinois [Mr. CRANE], has 5 minutes remaining, and the gentleman from California [Mr. MATSUI] has 16 ½ minutes remaining.

Mr. SOLOMON. Mr. Speaker, I rise in support of this excellent measure introduced by Mr. SMITH of New Jersey. It is badly needed. Our laws supposedly ban the importation of slave-made goods, yet we know that we continue to be flooded with goods from China's vast gulag, the Laogai. Obviously, our laws are not being enforced the way they should be. This bill will help give our customs inspectors the tools they need to keep out these ugly goods.

Mr. Speaker, the use of slave labor is only one of many disgusting practices of the Communist Chinese government, but it is certainly one of the worst.

Estimates of those languishing in China's gulag run well into the millions. It is for them that we are here on the floor today. It is their silenced voices that we can hear as we wade through the piles of Communist Chinese goods in our stores.

Short of a revolution in China, and one is surely coming, the only way we can battle slave labor in that country is to refrain from buying slave-made goods, which provides the financial lifeline to the wardens of that vast prison, the Communists.

This bill gets us in that direction and I urge an "aye" vote.

Mr. MATSUI. Mr. Speaker, I urge support of the bill, and I yield back the balance of my time.

Mr. CRANE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time has expired.

Pursuant to House Resolution 302, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TAYLOR of Mississippi. At this time I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TAYLOR of Mississippi moves to recommit the bill, H.R. 2195, to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment: At the end of the bill insert the following:

SECTION 6. QUARTERLY ADJUSTMENT OF TARIFFS ON PRODUCTS OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) QUARTERLY DETERMINATIONS BY SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall determine, at the end of each calendar quarter—

(1) the dollar amount of tariffs paid to the People's Republic of China during that quarter by persons for exporting goods and services from the United States to the People's Republic of China; and

(2) the dollar amount of tariffs paid to the United States during that quarter by persons for importing goods and services from the People's Republic of China into the United States.

(b) ADJUSTMENT OF TARIFFS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall adjust the tariffs on all products of the People's Republic of China so that an amount is collected on imports of products of the People's Republic of China, during the 3-month period beginning 30 days after the end of the calendar quarter for which a determination is made under subsection (a), equal to the amount by which the dollar amount computed under paragraph (1) of subsection (a) exceeds the dollar amount computed under paragraph (2) of subsection (a).

The SPEAKER pro tempore. For what purpose does the gentleman from Illinois [Mr. CRANE] rise?

Mr. CRANE. Mr. Speaker, I reserve all points of order against the motion to recommit with instructions.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi [Mr. TAYLOR] is recognized for 5 minutes in support of his motion.

Mr. TAYLOR of Mississippi. Mr. Speaker, I want to thank the gentleman from Illinois [Mr. CRANE] for reserving the point of order and not trying to cut off debate.

Mr. Speaker, the efforts of the gentleman from California [Mr. Cox], though well-intentioned, are little more than giving a sweet talk to a dying man. It does not really change things. We spend a little bit more money to find out what we already know, that the People's Republic of China is using slave labor, making goods, and sending goods to the United States of America to be sold here and put Americans out of work. There is nothing new about that.

There is nothing new about the fact that they have a \$40 billion trade surplus with our country. There is nothing new about the fact that it is a totalitarian communist regime that is doing this, and our money feeds their military. There is nothing new about the fact that they charge us 20 to 40 percent on our products that we try to sell there, while we only charge them, because of the Most-Favored-Nation Status agreement, about 2 percent on their products that they sell here.

What is new tonight is that we can have a chance to really address that, not just spend a couple more million dollars finding out what we already know, that they are making things with slave labor, but to tell the Chinese that we will expect some basic level of fairness from them in return for having access to our markets, and we will expect you, China, to treat its people better if they want to have access to our markets.

The people from the Committee on Ways and Means are going to object to this. The people from the Committee on Ways and Means by and large are free traders. They think that however horrible the Chinese Government is, however horrible they are and how many weapons they sell to our opponents they ought to have total access to our market, because doggone it, that is what free trade is all about.

I say to my colleagues, they are wrong, they are dead wrong. Not only

are they wrong, but they block any effort by any average Member of this body to address that inequity. We cannot get a bill through that committee, and one never will. We have one chance this legislative session to address that. We have one chance this legislative session to say, we are going to treat the Chinese the way they treat us, and if they want to charge us 2 percent, as we charge them, we will do the same. But if they want to charge us 40 percent, if they want to continue to have a \$40 billion a year trade surplus out of our money and use that money to sell weapons or give weapons to the enemy of America, then we are going to do something about it.

The Democratic leadership and the Republican leadership will come to the floor in the next couple of minutes and say, let us do not do this, let us do not act hasty. There is nothing hasty about this. This has been going on for decades.

What is different is that in the 2 years that each of us is given to serve this Nation in the elections that are held every other year, this is the one chance we are probably going to get to do something about it. They are going to say, do not vote against the ruling of the Chair because somehow the Chair is almighty, the Chair knows better.

Well, the Chair is wrong. The Chair will not give us a chance to vote on this. This is the one chance we are going to get. We are going to get one chance to decide if we are going to have a basic sense of fairness between how the Chinese and the Americans trade with each other, whether we are going to continue to allow goods that are made with slave labor to compete against the goods that are made in North Carolina and Mississippi and New York and California. We are going to continue to say whether or not we are going to turn a blind eye to the most totalitarian regime in the world that sells weapons to our opponents. But I say to my colleagues, it is OK, because the Committee on Ways and Means does not want to hear the idea that maybe there ought to be a basic fairness between what they charge us in tariffs and what we charge them.

This is our chance. We are going to have to work against your leadership, I am going to have to vote against mine, but we were not sent here to listen to the leadership, we were sent here to listen to the people of our congressional districts and the people of this Nation, and they want us to make things right. They want us to be fair with them. They want us to change things that are wrong. They want us to do what is right.

I am almost reminded of the song, The Impossible Dream. This is your chance to fight for what is right, without question or pause, because as your leadership is concerned, you are clearly walking into hell for a heavenly cause.

I am asking you to do what is right for America.

Mr. Speaker, I yield back the balance of my time.

□ 2045

POINT OF ORDER

The SPEAKER pro tempore [Mr. QUINN]. Does the gentleman from Illinois [Mr. CRANE] insist on his point of order?

Mr. CRANE. Mr. Speaker, I make a point of order against the motion to recommit with instructions.

The SPEAKER pro tempore. Does the gentleman wish to be heard on his point of order?

Mr. CRANE. I do, Mr. Speaker.

Mr. Speaker, the motion to recommit with instructions is not germane to the underlying bill. The fundamental purpose or common thread of the bill is very narrow, and only concerns the monitoring of products made with forced labor. The range of methods employed in the bill is similarly narrow.

The motion, however, deals with the reciprocal tariff treatments of the products of China. This is clearly not within the very narrow purpose of this bill. The issue of tariffs is also outside the range of methods employed in the bill. Therefore, the motion to recommit with instructions is not germane, and I urge the Chair to sustain the point of order.

The SPEAKER pro tempore. Does the gentleman from Mississippi [Mr. TAYLOR] wish to be heard on the point of order?

Mr. TAYLOR of Mississippi. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized.

Mr. TAYLOR of Mississippi. Mr. Speaker, as I mentioned before, the Committee on Ways and Means has an opportunity every year to consider this measure and measures just like it. They choose not to.

I am appealing to the House because I have heard on too many occasions from too many Members of this body that we are not given the chance to do what is right. At every town meeting we attend, when people ask, how do these unfair things continue to happen, do Members know what we have to say? We have to say, it is the committee system, the Speaker, the Committee on Ways and Means committee. They will not let us do that.

They do not understand that. They cannot find in the Constitution of the United States where it somehow makes some Members of Congress better than other Members of Congress; where just a few Members of Congress can decide whether or not 435 Members, who were each elected by over half a million American citizens, that they cannot even decide on basic questions of right and wrong when it comes to trade issues.

I am asking the Members of this body to step up to the plate. I am asking them to do tonight what they tell their constituents at their town meetings. That is, do what is right, regardless of what the Committee on Ways and

Means wants, regardless of what the Speaker wants, regardless of what the Democratic leadership wants or the Republican leadership wants. For once, let us do what America wants. Tonight is the Members' chance.

I am asking for that opportunity. I hope Members will vote against tabling this motion. I hope we will bring it to the floor. I hope we will vote as a Nation to tell the people of China we are sick and tired of being their chumps.

The SPEAKER pro tempore. The Chair is prepared to rule at this time.

The gentleman from Illinois [Mr. CRANE] makes the point of order that the amendment proposed in the motion to recommit is not germane. The test of germaneness in this situation is the relationship of the amendment proposed in the motion to recommit to the provisions of the bill as a whole.

The bill as perfected authorizes funding for monitoring the importation into the United States of goods produced by forced labor. It also requires the reporting of certain information on that topic, and also expresses the sense of the Congress that the President should review reciprocal trade relationships on that topic.

The amendment proposed in the motion to recommit would amend the tariff schedules of the United States to achieve reciprocity between the aggregate amount of Chinese tariffs on the American products and the aggregate amount of American tariffs on Chinese products. The bill confines its attention to products of forced labor.

The amendment, although addressing only products of China, extends its attention to all products, not just those made by forced labor, and directly imposes tariff treatment, a matter not part of the bill.

The Chair therefore finds that the amendment is a "proposition on a subject different from that under consideration" within the meaning of clause 7 of rule XVI. That is, the amendment is not germane. The point of order is sustained. The motion to recommit is not in order.

PARLIAMENTARY INQUIRY

Mr. TAYLOR of Mississippi. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. TAYLOR of Mississippi. Mr. Speaker, what is the proper mechanism to question the ruling of the Chair and to make that available to the Members to make that decision?

The SPEAKER pro tempore. The gentleman may appeal the ruling of the Chair.

Mr. TAYLOR of Mississippi. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. TAYLOR] appeals the ruling of the Chair.

The question is, shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. CRANE

Mr. CRANE. Mr. Speaker, I move to lay on the table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Illinois [Mr. CRANE].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TAYLOR of Mississippi. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Without objection, the vote on final passage will be reduced to a five-minute vote.

There was no objection.

The vote was taken by electronic device, and there were—yeas 217, nays 202, not voting 14, as follows:

[Roll No. 581]

YEAS—217

Aderholt	Fawell	Linder
Archer	Foley	Livingston
Armey	Forbes	LoBiondo
Bachus	Fossella	Lucas
Baker	Fowler	Manzullo
Ballenger	Fox	McCollum
Barr	Franks (NJ)	McCrery
Barrett (NE)	Frelinghuysen	McDade
Barton	Gallegly	McHugh
Bass	Ganske	McInnis
Bateman	Gekas	McIntosh
Bereuter	Gibbons	McKeon
Billirakis	Gilchrest	Metcalf
Bliley	Gillmor	Mica
Blunt	Gilman	Miller (FL)
Boehlert	Goodlatte	Moakley
Boehner	Goodling	Moran (KS)
Bonilla	Goss	Morella
Bono	Graham	Myrick
Brady	Granger	Nethercutt
Bryant	Greenwood	Ney
Bunning	Gutknecht	Northup
Burr	Hamilton	Norwood
Burton	Hansen	Nussle
Buyer	Hastert	Oxley
Callahan	Hastings (WA)	Packard
Calvert	Hayworth	Pappas
Camp	Hefley	Parker
Campbell	Herger	Paul
Canady	Hill	Paxon
Cannon	Hilleary	Pease
Castle	Hobson	Peterson (PA)
Chabot	Hoekstra	Petri
Chambliss	Horn	Pickering
Chenoweth	Hostettler	Pitts
Christensen	Houghton	Pombo
Coble	Hulshof	Porter
Coburn	Hutchinson	Portman
Collins	Hyde	Pryce (OH)
Combest	Inglis	Quinn
Cook	Istook	Radanovich
Cooksey	Jenkins	Ramstad
Cox	Johnson (CT)	Redmond
Crane	Johnson, Sam	Regula
Crapo	Jones	Riggs
Cunningham	Kasich	Rogan
Deal	Kelly	Rogers
DeLay	Kim	Ros-Lehtinen
Diaz-Balart	King (NY)	Roukema
Dickey	Kingston	Royce
Doolittle	Klug	Ryun
Dreier	Knollenberg	Salmon
Duncan	Kolbe	Sanford
Dunn	LaHood	Saxton
Ehlers	Largent	Scarborough
Ehrlich	Latham	Schaefer, Dan
Emerson	LaTourette	Schaffer, Bob
English	Lazio	Sensenbrenner
Ensign	Leach	Sessions
Everett	Lewis (CA)	Shadegg
Ewing	Lewis (KY)	Shaw

Shays
Shimkus
Shuster
Skaggs
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder

Spence
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh

Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NAYS—202

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bartlett
Becerra
Bentsen
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon

NOT VOTING—14

Cubin
Davis (VA)
Flake
Foglietta
Ford

□ 2110

Mr. BOSWELL, Ms. KILPATRICK, Mr. BILBRAY, and Mr. ROHRABACHER changed their vote from “yea” to “nay.”

Mr. BACHUS changed his vote from “nay” to “yea.”

Neumann
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Sherman
Sisisky
Skelton
Slaughter
Smith (MI)
Smith, Adam
Snyder
Stabenow
Stark
Stenholm
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn

So the motion lay on the table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. KINGSTON). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SMITH of New Jersey. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 419, noes 2, answered “present” 1, not voting 11, as follows:

[Roll No. 582]

AYES—419

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn

Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen

Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella

Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions

NOES—2

Brown (CA) Pickett

ANSWERED “PRESENT”—1

Paul

NOT VOTING—11

Cubin
Flake
Foglietta
Gonzalez

Greenwood
McKinney
Riley
Schiff

□ 2127

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to provide for certain measures to increase monitoring of products that are made with forced labor.”

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION AMENDING RULES OF THE HOUSE TO REPEAL EXCEPTION TO REQUIREMENT THAT PUBLIC COMMITTEE PROCEEDINGS BE OPEN TO ALL MEDIA

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-382) on the resolution (H. Res. 301) amending the Rules of the House of Representatives to repeal the exception to the requirement that public committee proceedings be open to all media, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-383) on the resolution (H. Res. 305) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-384) on the resolution (H. Res. 306) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF NOVEMBER 7, 1997

Ms. FURSE. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 307) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore [Mr. KINGSTON]. The Clerk will report the resolution.

The Clerk read as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, as a member of Congress whose election in 1994 was won by far smaller a majority than that which Ms. Sanchez won the 46th District race in 1996.

Whereas, as an immigrant myself who proudly became a U.S. citizen in 1972, I believe that this Republican campaign of intimidation sends a message to new citizens that their voting privilege may be subverted. We should encourage new voters not chill their enthusiasm.

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

Pursuant to the rule, the gentleman from Oregon [Ms. FURSE] will be recognized for 30 minutes and the gentleman from California [Mr. THOMAS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 1996, Congresswoman LORETTA SANCHEZ was elected by the people of the 46th Congressional District of California. There was a recount. The California Secretary of State confirmed that Congresswoman SANCHEZ had won that election. Yet for over 10 months, the Republican leaders have used every tactic to deny Congresswoman SANCHEZ that victory.

Mr. Speaker, this is a Nation of immigrants. This is a Nation of people who came to the shores to participate. This is a Nation of immigrants eager to participate, eager to give their voice to this great democracy. Mr. Speaker, I understand this because I, too, was an immigrant. I came to this country in 1972. I was proud to become a citizen and proud to cast a vote in an election.

Then in 1992, I became a Member of Congress. That is the way it is supposed to work, Mr. Speaker, in this great democracy.

It is a disgrace that new voters, new citizens are being questioned in this campaign against Congresswoman SANCHEZ. Let us not forget, this is a campaign not just against Congresswoman SANCHEZ, this is a campaign against new immigrants. This is a campaign against new citizens. It is a disgrace.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the second time we come together on the floor to provide an opportunity to respond to resolutions which, frankly, contain erroneous material, inflammatory material, material that simply ought not to be presented on the floor of the House, in this gentleman's judgment, in the way in which it is presented.

I am quite pleased to announce to Members some developments that have occurred since the last time we were on the floor. If Members recall, I reported to them that in the months that they have outlined it has taken us to attempt to get to the bottom of this, I indicated to them that not one Democrat staffer had signed a statement of confidentiality. They had chosen not to participate in a meaningful way in documents that we wanted to make sure did not get out so that the charge that they make falsely, that we were attempting to intimidate individuals, did not get, quote-unquote, leaked.

I am pleased to say that all of the key Democrat staffers, members of the Democratic staff, have now signed statements of confidentiality. That is a major step forward. I wish they had done it 9 to 10 months ago so we could share the information that we know. I will tell Members tonight, they are going to receive some of that information.

But I think for just a minute or two, we need to understand how we got here. There were phone calls to the Orange County Registrar of Voters. People said they knew that people who voted were not citizens. There was a follow-up examination by the election authorities. There was sufficient and credible evidence filed with the Orange County District Attorney for the Orange County District Attorney to subpoena records of groups who were supposed to be educating documented aliens in the process to become citizens, the very process that the gentleman from Oregon indicated occurred to her. Of course, we know what happened in her case. She did it in the right order. She became a citizen, and then she voted.

The record shows that there were people in the 46th Congressional District who voted before they became citizens. There were many people who did this on the advice of people who, frankly, chose to mislead these people